

Appeal Ref: APP/C1435/W/23/3335625
Land south of the A271 and east of the A22, Lower Horsebridge,
Hailsham, East Sussex, BN27 4DN

INSPECTOR'S POST CONFERENCE SUMMARY NOTE
CMC HELD 10.00am, THURSDAY 14 MARCH 2024

Introductions

- Stephen Wilkinson as the appointed Inspector.
 - Mr. J. Litton KC, for the appellant.
 - Mr. S Robins, Head of Planning and Environmental Services for the Council
- It is noted that Ms V Hutton of Counsel will represent the Council at the Inquiry

Purpose of the conference

- Discussion of the management of the Inquiry, and not the merits of the parties' positions.
- Receipt of Mr Litton's note submitted in advance of the CMC together with the Statements of Common Ground on Transport and Highways and General Matters was acknowledged by the Inspector.

Description of Proposed Development (taken from the application form)

The development proposed is up to 124 residential dwellings, associated infrastructure (including new access to the A271) and open space.

The parties confirmed that this description was correct.

How the Inquiry will be undertaken

- This would be undertaken as a face-to-face event held in East Sussex National Golf Club, Little Halstead TN22 5ES. The event would be live streamed.

Engagement of participants

- Arrangements for site notice/notification letters to be made by the Council with PINS sent copies as soon as possible.

Opening dates and sitting times

- Commence at 10.00am on Tuesday 23 April 2024, sitting for up to 5 days (excluding 29 April) concluding on Tuesday 30 April.
- Sitting from 9.30am on subsequent days.

How the main issues will be dealt with

Based on the material currently submitted and the comments of the parties during the CMC, the Inspector considers that the main issues between them relate to housing land, landscape, location, designated heritage assets, and the provision of housing. These matters will inform the parties conclusions on the planning balance.

Accordingly, the main issues to which evidence should be directed are:

1. Whether or not the Council has a policy compliant supply of housing land,
2. The effect of the appeal scheme on the landscape character and appearance of the area,
3. The location of the proposed development with regard to national and local policies,
4. The effect of the proposed scheme on heritage assets with particular regard to the setting of Brook House and Boship Farm Hotel, and
5. The effect of the appeal scheme on the provision of housing to meet both demand and supply as required by both national and local policies.

These matters will be taken into account in determination of the planning balance.

I have not merged issues 3 and 5 as Mr Litton has suggested as these relate to two separate matters. It is acknowledged that these issues may be addressed through the legal agreement currently under preparation.

Evidence will be heard on a topic basis.

Evidence on housing land supply will be heard in a round table format. Evidence on landscape, location, housing and designated heritage assets and the planning balance would be heard through the presentation of evidence with roundtable sessions on Planning Conditions and the S106 Agreement. An accompanied site visit to an agreed itinerary would be held at the end of the Inquiry – likely to be Tuesday 30 April 2024.

Inquiry running order

- Inspector introduction
- Main parties openings
- Interested parties – the appellant team may respond directly to concerns raised including to Highways and Flood Risk matters which are not included as main issues.
- Running order based on topics with the Council leading - housing land supply, landscape, designated heritage assets, location, housing and planning balance
- Roundtable on the Draft Section 106 Agreement
- Roundtable on draft conditions
- Costs - although no application has been received from either party as yet
- Closings.

Management of inquiry documents

- The appellant to lead on indexing of the document library.

- The Council has established a dedicated web page for Inquiry documents.
- The Inspector requests hard copies of all proofs and their appendices and the landscape evidence including the LVIA's.
- The Inspector has agreed to review the final document list and request which additional documents should be sent on in hard copy.
- Electronic copies of all core documents and other documents to be provided to PINS.

Other Matters

- The Inspector confirmed that the plans on which his decision would be made would be the Site Plan and the Site Access Design.
- The Inspector has suggested a draft note be sent in advance of the Inquiry opening indicating how the latest plans have evolved and what changes have been made from those before the Inquiry compared to those originally consulted upon. The Inspector was concerned that no parties should be prejudiced by these changes.
- Although the illustrative layout and parameter plans are referred in evidence they would be considered as illustrative only for the purposes of the appeal decision. Whilst it is noted that the main parties in the Statement of Common Ground suggest the appeal decision is made on the basis of these plans they address matters of scale and layout which relate to reserved matters which are not for consideration at this stage.

Timetable for submission of documents

19 March 2024	• 'Final' Core document list (it will remain a 'live' list until the opening of the Inquiry and may be added to). On the opening of the Inquiry documents presented as evidence will be noted as Inquiry Documents with an ID reference and recorded in the decision.
26 March 2024	• Electronic copies of proofs and appendices to PINS. • Hard copies of proofs and appendices to PINS (to be sent in the post on 26 March, First Class) for forwarding to the Inspector. • All core documents to be sent electronically to PINS and placed on the Council hosted web page.
9 April 2024	• Rebuttal proofs if deemed necessary.
16 April 2024	• Draft conditions (in WORD), draft S106 Agreement and CIL Compliance Schedule. • Timings to be sent.

18 April 2024	• PINS to issue the Inquiry programme
23 April 2024	• Inquiry opens at 10.00am

Other matters

n/a

The meeting closed at 10.55am

Stephen Wilkinson, INSPECTOR

Witnesses

For the appellant

Paul Warren – Landscape

Dr James Weir – Heritage

Henk Gelens - Highway Matters

Amy Hensler – Flood Risk

Jacqueline Mulliner – Housing Land Supply

Andrew Elliott - Planning

For the Council TBA